



**THE CARRIAGE OF DANGEROUS GOODS (AMENDMENT)
REGULATIONS (NORTHERN IRELAND) 2019
(S.R. 2019 No. 111)**

Impact Assessment

An Impact Assessment (IA) is a tool, which informs policy decisions. All NI Government Departments must comply with the impact assessment process when considering any new, or amendments to, existing policy proposals. Where regulations or alternative measures are introduced an IA should be used to make informed decisions. The IA is an assessment of the impact of policy options in terms of the costs, benefits and risks of the proposal. New regulations should only be introduced when other alternatives have been considered and rejected and where the benefits justify the costs.

The IA process is not specific to the Home Civil Service or the NI Civil Service – many countries use a similar analysis to assess their proposed regulations and large organisations appraise their investment decisions in similar ways too.

Please find enclosed a final IA in respect of The Carriage of Dangerous Goods (Amendment) Regulations (Northern Ireland) 2019.

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THE CARRIAGE OF DANGEROUS GOODS (AMENDMENT) REGULATIONS (NORTHERN IRELAND) 2019

NOTE ON COSTS AND BENEFITS

1. I declare that:
 - a. the purpose of The Carriage of Dangerous Goods (Amendment) Regulations (Northern Ireland) 2019 (“the Northern Ireland Regulations”) is to amend, the Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations (Northern Ireland) 2010 (S.R. 2010 No. 160) (CDGNI) in order to transpose, in part, in Northern Ireland, the radiological emergency preparedness and response requirements contained in the Euratom Basic Safety Standards Directive (2013/59/Euratom) (“the Directive”) in relation to the transport of radioactive materials in the UK by road, rail and inland waterway.
 - b. The Northern Ireland Regulations are made principally to transpose new requirements set out in the Directive. The Directive consolidates and updates five directives and a European Commission recommendation, including the 1996 Basic Safety Standards Directive (Council Directive 96/29/Euratom¹). The Directive incorporates subsequent publications from the International Commission on Radiological Protection, which were published in 2007², and increases harmonisation between the Euratom regime and the International Basic Safety Standards issued by the International Atomic Energy Agency³.
2. The Directive sets out standards in respect of radiation protection in different areas, including in relation to workers (“occupational exposures”), the public (“public exposures”) medical and dental patients (“medical exposures”), as well as for nuclear emergency preparedness and response. Much of the Directive has already been implemented into NI legislation, including by means of the Ionising Radiations Regulations (Northern Ireland) 2017⁴ and the Ionising Radiation (Medical Exposures) Regulations (Northern Ireland) 2017⁵.

¹ <http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1502202246211&uri=CELEX:31996L0029>

² <http://www.icrp.org/publication.asp?id=ICRP%20Publication%20103>

³ http://www-pub.iaea.org/MTCD/Publications/PDF/Pub1578_web-57265295.pdf

⁴ <http://www.legislation.gov.uk/nisr/2017/229/made>

⁵ <http://www.legislation.gov.uk/nisr/2018/17/contents/made>

3. As the Northern Ireland Regulations only transpose new requirements contained in the Directive concerning emergency preparedness and response arrangements for the transport of radioactive materials, the Department intends to make a further set of Regulations – to be known as the Radiation (Emergency Preparedness and Public Information) Regulations (Northern Ireland) 2019 (REPPIRNI) – to implement the remaining emergency preparedness and response aspects of the Directive i.e. in relation to sites that hold radioactive material. These Regulations are intended to be laid in mid 2019.
4. The CDGNI are the main Regulations governing the transport of radioactive materials in Northern Ireland. The CDGNI regulates the transport of dangerous goods, but there are specific sections which deal with class 7 goods (radioactive) material. Regulation 20 of, and Schedule 2 to, the CDGNI sets out the current regulatory requirements in relation to preparing for and responding to radiological emergencies which occur during the carriage of radioactive material. The Northern Ireland Regulations substitute a new regulation 20 of, and Schedule 2 to, the CDGNI.
5. The policy objective is to ensure that members of the public are protected from exposure to ionising radiation in line with the requirements of the Directive and that the required standard of protection is achieved efficiently.
6. I am satisfied that the analysis and considerations set out in the Great Britain de minimis assessment can be applied, generally and on a proportionate basis, to the Northern Ireland Regulations.
7. An estimate of the costs and benefits associated with the Great Britain Regulations is available from the Department for Business Energy and Industrial Strategy Better Regulation Unit. The Northern Ireland costs and benefits is appended to this Note.
8. There is no significant impact on charities, social economy enterprises or voluntary bodies.

Colin Jack
Department for the Economy
21 May 2019

PART I

GREAT BRITAIN IMPACT ASSESSMENT

(Prepared by the Department for Business, Energy & Industrial Strategy)

The Carriage of Dangerous Goods (Amendment) Regulations 2019 (S.I. 2019/598)

1. A copy of the de minimis assessment which was prepared by the Department for Business, Energy & Industrial Strategy, in respect of the equivalent Carriage of Dangerous Goods (Amendment) Regulations 2019 (“the Great Britain Regulations”) is available from that Department’s Better Regulation Unit.
2. No impact assessment was required as the cost to business was assessed as under £5 million.
3. The proposed approach will maintain Great Britain’s strong emergency preparedness and response arrangements for the transport of radioactive materials. This will maintain public protection and reduce adverse consequences in the event of an emergency.

PART II

NORTHERN IRELAND COSTS AND BENEFITS

Carriage of Dangerous Goods (Amendment) Regulations (Northern Ireland) 2019

General

1. The Department for the Economy is of the opinion that the analysis and considerations set out in the Great Britain de minimis assessment apply generally and on a proportionate basis, to the circumstances in Northern Ireland. There are very few organisations in Northern Ireland that would be affected by the changes.
2. This Rule will strengthen Northern Ireland's emergency preparedness and response arrangements for transport of radiological materials. It will improve public protection and reduce adverse consequences in the event of an emergency. It also consolidates emergency preparedness and response requirements for the transport of radioactive materials into the CDGNI.

Costs and Benefits

3. The Department for the Economy is of the opinion that the impact to Northern Ireland industry would be mainly restricted to one off familiarisation with the revised provisions and that costs to individual duty holders would be negligible. In the circumstances a full Regulatory Impact Assessment is not considered necessary.
4. Industry will have a 12-month transitional period to familiarise itself with the amendments and become compliant.
5. The duty to provide prior information is being placed on the Northern Ireland competent authority and therefore will not impact businesses at all. As a result it is anticipated there will be no cost to businesses. Also there will be no impact on charities, social economy enterprises or voluntary bodies.

Conclusion

6. Overall, it is estimated that any associated cost of complying with these regulatory changes will be negligible.